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SUMMARY RECORD OF THE 331st MEETING

Held at the Palais des Nations, Geneva
on Thursday, 3 October 1996, at 10 a.m.

Chairperson: Mrs. BELEMBAOGO

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of United Kingdom Dependent Territories: Hong Kong (CRC/C/11/Add.9 and Corr.1 (English only); HRI/CORE/1/Add.62; CRC/C/Q/UK(HK).1) (continued)

1. At the invitation of the Chairperson, Mr. Wingfield, Mr. Fifoot, Mr. Ng Hon-wah, Mr. Deane, Mr. Leung, Ms. Pun, Ms. Hui, Ms. Ip, Sir John Ramsden, Ms. Foulds, Mr. Wells and Mr. Booth (United Kingdom) resumed their places at the Committee table.

2. Mr. WINGFIELD (United Kingdom), referring to statistics on the disposal without conviction of the cases of defendants aged 7 to 10 years between 1992 and 1995, said that, once a juvenile appeared before the Juvenile Court in Hong Kong, the Court was entitled to consider whether he was in need of care and protection, which could include supervision or the issuing of an order vesting guardianship in the Director of Social Welfare.

3. Noting that paragraph 447 of the report contained sexual abuse statistics, he said that, out of the 77 cases of child abuse in 1994, 16 had been recorded as incest cases. The corresponding figures for 1995 provided by the Child Protection Registry indicated that, out of 576 cases of child abuse, 116 had been cases of sexual abuse, including 21 cases of incest.

4. There had been 14 cases of adolescent suicide in 1994 and 18 in 1995, with a preponderance of female victims. Since 1992, all cases of suspected student suicide had been investigated. A non-governmental organization had been commissioned by the Working Group on Services to Youth at Risk to develop a screening tool to be used in schools for the identification of children at risk and early intervention. The reason for suicide among children was a matter for speculation, but family-related factors were cited most often.

5. Concern about the effectiveness of traditional Chinese medicine had been expressed and a working party reviewing the matter had recommended the establishment of a regulatory body. The Preparatory Committee on Chinese Medicine was currently studying the recommendation in order to advise the Hong Kong Government on its implementation.

6. "Home helpers" were recruited locally and employed by NGOs. In order to qualify for such a position, a person had to be at least 21 years old, able to read and write basic Chinese and have gone beyond the primary level of school. Home helpers' salaries compared favourably with those for other types of manual work and amounted to between 8,000 and 10,000 Hong Kong dollars per month.

7. The teaching profession was well respected in Hong Kong and posts were keenly sought after. The Government's objective of increasing the number of graduates in the teaching profession had not yet been achieved, but the salary scale for new entrants to the profession was attractive, as it stood between 19,000 and 41,000 Hong Kong dollars per month.

8. The Education Department had been working with teaching institutes and educational bodies in preparation for the change-over to Chinese rule in 1997. Special subjects on China had been added to the syllabuses of trainee teachers to increase their knowledge of China. Appendix 9 of the report listed the content of secondary school syllabuses with human rights elements and showed the number of class periods allotted to each subject.

9. In Hong Kong, as in many other societies, technical and vocational training was regarded as a second option, after academic studies. The Government budget for technical and vocational training for 1996 was 1,620 million Hong Kong dollars, representing 4.7 per cent of total expenditure on education.

10. The prohibition on corporal punishment was applicable both in private and in public schools.

11. The Government's objective of educating disabled children in ordinary schools had not yet been achieved. While steps had been taken to increase the degree of integration of disabled children on the basis of the recommendations contained in the 1995 White Paper, there was still a great deal to be done. His delegation looked forward to the Committee's observations and recommendations on that question.

12. The Hong Kong Government was committed to the total development of the child. Paragraphs 356 to 370 of the report described the various Government programmes relating to the arts and the cultural heritage, as well as the sports and recreational facilities offered. The Education Department had introduced sports into the school curriculum in order to encourage children to participate in non-academic pursuits. Since Hong Kong parents set particular store by the value of academic education, a balance had to be maintained to ensure that children had a well-rounded experience.

13. Mrs. KARP asked whether the Government funded psychological counselling programmes outside schools and, if not, whether it financed NGOs offering those services. She would also like further details on sex education schools.

14. Mrs. BADRAN expressed concern about the incidence of suicide among adolescents, particularly in view of the fact that tremendous pressure was placed on students to excel in school. Perhaps the role of professionals working in schools, such as social workers and guidance counsellors, should be reviewed and their activities should be coordinated more closely.

15. Referring to the drop-out rate at the secondary level, she asked whether persons who had dropped out of school could find jobs and whether the system was open enough to allow drop-outs to continue their education in the mainstream at a later stage. She also wished to know whether a vocational training component was included in the junior secondary school curriculum to prepare students for jobs if they were unable to complete their education.

16. She asked about the length of the school day at the primary and secondary levels and whether students participated in environmental projects and what types of projects were arranged by schools.

17. Mr. HAMMARBERG said that the policy of the Hong Kong Government on the age of criminal responsibility was not entirely in keeping with articles 37 and 40 of the Convention. He recommended that that policy should be reviewed so that the detention of young children could be avoided and pointed out that the low age limit in Hong Kong was not common practice in the majority of the States parties to the Convention.

18. The integration of disabled children into ordinary schools was a difficult task which required large financial investments to adapt the physical aspects of schools, teaching equipment and teaching methods. It was important for disabled children to receive the assistance they required at an early age and, at the same time, beneficial for other children to associate with disabled children in order to gain an understanding of their needs and potential.

19. There was far too much competition in the lives of school children in Hong Kong and he cautioned that sports also involved an element of competition. He urged the Government to adopt a comprehensive approach in order to alleviate the atmosphere in schools.

20. Mrs. EUFEMIO said that, since 20 to 50 per cent of child abuse cases involved incest, she would like to know why incest had not been included in the definition of offences classified as sexual abuse. She also asked whether there were structural causes for the occurrence of incest in Hong Kong. Following a High Court trial of incest on 31 May 1996, remedial emergency legislation should have been adopted, but it had been suspended and she wished to know why.

21. Mr. WINGFIELD (United Kingdom), replying to the question about adolescent suicide and the availability of counselling services, said that a number of such services were available, provided either by the Government or by NGOs. NGOs in Hong Kong were largely subsidized by the Government, so there was also a Government contribution to the services those organizations provided. The Central Health Education Unit participated in the development of the curriculum for sex education in schools. The Student Health Service, established in 1995, provided information about self-care, individual responsibility and reproductive health.

22. In response to Mrs. Badran, he said that it was difficult to identify the precise reasons for suicide among adolescents. An analysis was being carried out, covering suicides between 1992 and 1995, and the major problems that seemed to be coming to the fore were poor family relationships and personal problems. Those accounted for most of the 48 cases. School and learning problems had been identified as major problems only in 6 cases, although they had probably constituted significant secondary problems in 10 cases. One difficulty was that the actual trigger for the suicide could be entirely different from the major and secondary problems behind it. The fact that so many suicide attempts in Hong Kong were successful was probably due to the method most often chosen: jumping off high buildings. As far as the role of social workers and teachers was concerned, the whole objective of the programme developed to identify children at risk of suicide was to involve teachers, in early identification especially, and to deal with the problem on a team basis.

23. The number of students dropping out of secondary school had declined from 2,275 in 1993 to 1,773 in 1995. Identifying the reasons for dropping out was one of the Education Department's major concerns and efforts were being made to provide counselling in order to prevent it. Children attending the Vocational Training Centre were not precluded, once they had completed their courses, from returning to the academic system at a higher level. As to hours of schooling, he said that primary schooling was on a half-day basis, with children attending either morning or afternoon sessions totalling about 5 hours a day. The school day in secondary schools was about 7 hours long.

24. Turning to the points made by Mr. Hammarberg, he said that in the statistics to which he had referred, there had been only two cases of detention orders for young offenders. Those orders were, of course, for detention in a children's home and to that extent differed very little from the disposal without conviction of the cases of children taken into care in care and protection cases. As the statistics showed, detention orders at that early age were not usual. The integration of disabled children into the ordinary educational system was one of the Education Department's prime objectives. The question of access to school premises by disabled pupils would be covered by the Disability Discrimination Ordinance and schools would be required to provide the necessary facilities. The point that integration benefited disabled children and others mutually was fully accepted by the Director of Education himself.

25. Mrs. EUFEMIO had asked whether the statistics for sex abuse also covered incest. The figures for incest had been included previously in sex abuse generally, but separate figures had now been extracted. The reasons for incest depended of course on a case-by-case analysis, but it was possible that the amount of overcrowding in Hong Kong was a factor in its incidence. The High Court case she had referred to was not in fact a case in which proceedings had been discontinued because the law did not provide for the offence. The reason was that special measures had been introduced to allow victims in alleged cases of sex abuse to give their evidence by video link. Unfortunately, because of a drafting error, the relevant legislation had not included the offence of incest, which appeared in a different part of the Crimes Ordinance. The error had been spotted very soon after the legislation had been enacted and steps had been taken to remedy it. A bill had, in fact, been in course of preparation by the time the case had come before the court. Unfortunately, the barrister in the case had not appreciated that incest was not included in the provisions allowing evidence to be taken by video link, and the case had gone ahead in that way. When it had been understood that incest was not included, the case had had to come to a halt. The legislation had now been enacted and he believed that the case had been restarted. The Government had accepted full responsibility for the error and made a public apology.

26. With regard to the question about environmental education, he drew attention to paragraph 354 of the report. He assured the Committee that the question was taken very seriously.

27. Mrs. KARP asked whether the clinics or services which provided counselling to adolescents at risk of suicide were publicized and whether there had been any evaluation of the number of clinics, or the number of NGOs,

providing such services, as an indicator of a firm policy of trying to cope with that very difficult problem. She also asked whether sex education was obligatory as part of the school curriculum or whether the decision to provide it rested with the school. Also, was human rights education and education regarding the Convention compulsory and a regular part of the curriculum or was it up to the school to choose ways and means of promoting such education?

28. Mr. HAMMARBERG said that he was glad to hear of the efforts being made to allow for the inclusive education of children with disabilities. In that connection, however, not only was it necessary for resources to be made available, but teachers needed to be given clear advice on how to handle such cases. In moving from a policy of specialized institutions to inclusion in the ordinary school system, it was important to ensure that the system received clear instructions from the political authorities.

29. The question of homework needed to be added to the discussion of school hours. The impression given by the documentation received by the Committee was that it constituted a real problem. A heavy load of homework could add greatly to the burden on children. He asked whether the education authorities gave the schools any guidelines in that regard. It was also not clear whether there was any policy to encourage children to take part in designing the curriculum, as well as discussing disciplinary arrangements and the general running of the school. That was an important factor in making schools more humane.

30. Mr. KOLOSOV said that he had asked a question about familiarizing children in Hong Kong with the culture of the mainland. Were they able to watch Chinese television and read Chinese newspapers and magazines, for example? In his opinion, it was very important that Hong Kong children should be informed of the realities of mainland China so that they would be mentally and psychologically prepared for what they would shortly meet in real life.

31. Mrs. EUFEMIO, reverting to the issue of suicide, said that there were indications that the counselling services provided in schools were underutilized because of the stigma attached to approaching them. What steps could be taken to enhance the use of those valuable services?

32. Mrs. BADRAN said she was glad to hear that the problem of adolescent suicide was being analysed with a view to understanding the reasons leading to it and the family background, possibly membership in a minority, of the students concerned.

33. Since Hong Kong had both public and private schools, she would like to know how the two systems compared with each other. Were the facilities described as available in public schools, such as extracurricular activities, the assistance of social workers and so on, equally available in private schools? She also asked whether there were parent-teacher associations in Hong Kong.

34. Mr. WINGFIELD (United Kingdom) said that the counselling services in schools and elsewhere were well publicized: the difficulty lay in identifying those children who needed to benefit from them. In addition to the services described, there was a confidential Hot Line that children could call which

gave them the opportunity to seek assistance anonymously. They might then be advised to seek assistance from their own schools, but, unless children showed signs of distress, it was difficult to know when social work or psychological counselling was required. Sex education was not a mandatory part of the curriculum, but the Education Department encouraged its inclusion and provided the support he had already described. In reply to the question whether human rights formed a regular part of the curriculum, he said that education about the Convention on the Rights of the Child and other human rights issues was included in the curriculum, as part of education in the rights and responsibilities of citizens and the rights and responsibilities of individuals. International human rights instruments applying to Hong Kong, and Hong Kong's own Bill of Rights, were studied in the schools. As to whether teachers received guidance on the integration of children with disabilities, he said that it was Education Department policy to promulgate such advice to teachers. He noted that the whole atmosphere in Hong Kong with regard to disabled persons had undergone a marked improvement in recent years, helped by the inclusion of disabled children in the ordinary school system. The recent enactment of legislation prohibiting discrimination against disabled persons would further enhance that improvement.

35. In reply to Mr. Kolosov, he said that the Education Department provided education to teachers in that regard and teachers were expected to include matters relating to mainland China in their teaching. Conditions in China and the forthcoming changes in the political structure in Hong Kong, for example, were taught in relation to modern history. As far as information outside school was concerned, there was no direct television broadcast from China into Hong Kong, but newspapers and magazines were available for purchase.

36. With regard to the quality of private schools, he said that, as indicated in paragraph 326 of the report, all schools had to be registered and must accordingly satisfy the Director of Education that certain minimum standards were being met. Private and non-governmental schools in Hong Kong included those for the local community and also a number of international schools, which catered largely for expatriate children and had their own curricula and differing emphases, according to the predominant nationality of their pupils. Parent/teacher associations were almost universal in Hong Kong schools and very active.

37. Referring to homework, he said that the Education Department was acutely conscious of the need not to overburden children and therefore recommended that schools should not assign excessive homework. One problem was that parents themselves often made arrangements for additional tuition for their children. The pressure by parents for successful academic performance was very strong.

38. As far as school social work services were concerned, his understanding was that it was by no means uncommon for children themselves to approach school social workers for assistance. Most of the children identified as having problems had come forward on their own account. He did not think there was any stigma of the sort likely to lead to a reluctance to seek help.

39. The CHAIRPERSON invited the Committee to ask questions on the section of the list of issues entitled "Special protection measures".

40. Mr. HAMMARBERG noted that a fairly large group of Vietnamese refugees still remained in Hong Kong. The policy of detaining such refugees had been in force for some seven to eight years, and that meant that many of the children among them had not experienced any other situation than detention. It was a matter for regret that neither Hong Kong nor the international community had succeeded in providing those children with the right environment for a good upbringing. The Convention's concern for the best interests of the child required that Governments should actively avoid situations in which refugee children were made victims of policies designed to discourage a further influx of refugees. What measures were taken to give such children psychological help, opportunities for recreation and access to art and music?

41. He understood that there were some problems relating to the education of Chinese-speaking Vietnamese children. What was the current position? Another problem was that of split families: it appeared that mothers in such families who lived in mainland China had great difficulty in coming to Hong Kong to visit their children, so that such children were often deprived of contact with their mothers for long periods of time. What was being done to remedy that situation? He would also like more clarification on the question of children held in custody in cases of illegal immigration.

42. Miss MASON said she too wished to raise the question of the detention of juveniles who were to be used as prosecution witnesses in such cases. Was the Government considering repealing that provision of the Immigration Ordinance in the light of articles 2 and 37 of the Convention?

43. Mrs. EUFEMIO said that it was well known that school children of linguistic or other minorities often suffered from bullying by their more aggressive classmates. Bullying was harmful for both aggressor and victim, since the aggressor often continued his behaviour into adulthood, while the victim might drop out of school or even commit suicide. Were any steps being taken to prevent it occurring?

44. Mr. WINGFIELD (United Kingdom) said he agreed that children in detention centres should be given the same services as those that were available to children generally. Recreational activities, including art and music, were organized in the centres by NGOs designated by UNHCR. NGOs also provided counselling services, which were supplemented by welfare officers from the Correctional Services Department. Any cases of children with psychological or psychiatric problems would be followed up by professionals in those fields. Although the language used for teaching in the detention centres was exclusively Vietnamese, that had not proved to be a problem for ethnic Chinese children.

45. The problem of families split between Hong Kong and China was a long-standing one: it was estimated that some 60,000 children currently in China would have the right of abode in Hong Kong on 1 July 1997. In anticipation of that situation, the Government had arranged with the Chinese Government to increase the quota of daily one-way entry permits from 105 to 150, 30 of which were to be allocated to children.

46. Illegal immigration into Hong Kong was almost exclusively from China and the policy of the Chinese Government was for illegal immigrants to be returned to China as quickly as possible. There was therefore not enough time for such children to be released into the community. However, it was now the policy that children entering the Territory who would have a right of abode there after 1 July 1997 would not be returned to China, but would be treated in every way as normal residents, with the right, for instance, to public education.

47. In reply to the question by Miss Mason, it was not the Government's intention to repeal the provision of the Immigration Ordinance permitting detention of an illegal immigrant who was required to give evidence. However, as a matter of administrative discretion, it had now been decided that any child required to give evidence would be released on recognizance. The number of such cases involving children was small.

48. On the question of minorities, a large number of people in Hong Kong were not of Chinese origin, but were expatriates from all over the world; in general, they tended to be educated in their own language. The situation of minorities in Hong Kong had not come to the Government's attention as giving cause for concern.

49. Mr. HAMMARBERG, referring to quotas, said that the purpose of his question had been to find out to what extent the Government took account of the need for children to be with both their parents. The waiting time before separated children could make contact with their parents was often very long and he believed it should be reduced as much as possible in the best interests of the child. An increase in the quota from 105 to 150 might not be sufficient to reduce that waiting time.

50. Mr. WINGFIELD (United Kingdom) said that the quota he had referred to usually included mothers who were joining their families in Hong Kong. One of the difficulties was that the permits were usually issued by the Chinese Government, so that the matter was usually regulated by arrangement between the Hong Kong and Chinese authorities, although the Government endeavoured to monitor the situation to ensure that permits were properly allocated. He agreed that it was undesirable to separate families for long periods, but the numbers involved were considerable and to allow unrestricted access for all children would create severe problems.

51. Mrs. KARP said that she was not clear why Hong Kong did not repeal the provision of the Immigration Ordinance relating to the detention of witnesses if it was not being applied. Where any policy of detention existed, there was a danger that it might be applied differently by different officials, and that might lead to discrimination.

52. Mr. WINGFIELD (United Kingdom) said that the provision could not be repealed because the power of detention had to exist in order to enable release on recognizance to be exercised.

53. The CHAIRPERSON invited the members of the Committee to submit their concluding observations on the statements made by the delegation.

54. Mr. HAMMARBERG said that the Committee had appreciated the very factual replies given by the delegation and its generous approach to the questions raised. It had found the report very informative, but somewhat lacking in any analysis of problems or indications of future plans; it consisted largely of descriptions of existing laws and mechanisms.

55. The Committee would assume that, from 1 July 1997, the Convention would continue to be applicable to the Territory of Hong Kong and that Hong Kong would continue in future to submit separate reports on the Convention's implementation under the "one country, two systems" arrangement. However, he would be glad if the existing Hong Kong authorities could provide written replies to the recommendations the Committee would be drafting at the current session before 1 July 1997.

56. The situation with regard to reservations was that China had only one reservation, which related to article 6 of the Convention, whereas the Hong Kong Government had several. He understood that that problem was to be discussed in the Joint Liaison Group, but emphasized that, from the Committee's viewpoint, the aim of any such discussion should be to reach agreement on the withdrawal of all reservations. He appreciated that Hong Kong was following a "safety first" approach by entering reservations where its existing practice did not comply with the Convention, but he believed that any such lack of compliance should be a signal for a thorough review. That went for Hong Kong's reservations to provisions relating to refugees, detention and working hours.

57. A full review of all the implications of article 4 of the Convention might be a very useful exercise and it would be desirable if it could lead to a policy statement on how priority could best be given to protecting the interests of children. The review would involve an analysis of Hong Kong's administrative structure to see whether there was enough coordination between the various programmes for children and to ensure that policies for them were given political support at the highest level.

58. There might be a need to improve the level of independent monitoring so as to ensure, for instance, that issues concerning children could be discussed in the media. The relationship between the Government and NGOs in the field of the rights of the child might also be made more constructive and there should be an "open door" approach on the part of the authorities. A global review of the relationship between the Convention and Hong Kong's existing legislation on children was also recommended.

59. The recommended review of administrative structures should also pay attention to the implications of article 3 of the Convention, which focused on the best interests of children as a group, a central concept in protecting children and promoting their rights. Although some present and projected legislation already embodied that concept, it ought to permeate the whole body of law affecting children. The principles it embodied should also be taken into account in political decisions and in the whole approach to children in society at large.

60. Other individual points that had been discussed included the age of criminal responsibility, the status of children in relation to abode when one parent was not a Hong Kong citizen, and child abuse and neglect. In education, the importance of measures to make the school situation more humane for children and less over-competitive had been emphasized, as had the need not only to make human rights an essential component of the curriculum, but also to ensure that the life of the school itself was an illustration of the spirit of child rights and human rights. The article relating to the right to play was also of importance in that context. The question of refugees had been raised as well.

61. All of those points would be borne in mind by the Committee in drafting the written conclusions and recommendations that would be submitted to the United Kingdom Government.

62. Mrs. KARP said she endorsed the view that the approach to children's affairs should be integrated, not compartmentalized. It should be remembered that the Convention's attitude to the rights of the child was holistic. Legislation should thus not deal with the rights of the child piecemeal, but as a whole. She welcomed the delegation's intention to review the effectiveness of education on the Convention and on human rights in general. She continued to recommend the establishment of an independent body to examine complaints against the police.

63. Mr. MOMBESHORA said it had not been very evident in the discussion whether the people of Hong Kong had participated to any significant extent in the compilation of the report. The preparation of effective programmes was very dependent on such participation, since success was more likely if people understood what the purpose was. He expected that the coming transfer of sovereignty would have a considerable impact on children in the educational and cultural spheres. If attention were not paid to smoothing that process, it could add to the stresses children could suffer. The Committee had already expressed concern at the high rate of suicide.

64. In the health field, which was his own particular area of interest, he would suggest that further efforts should be made to ascertain the numbers and distribution of the disabled throughout the Territory and that programmes should be prepared for all sectors and districts to ensure the full integration of the disabled into normal life. The issue of free milk powder appeared in conflict with WHO principles on the promotion of breast-feeding and the International Code of Practice on the Marketing of Breast-Milk Substitutes. Mothers could go back to work six weeks after giving birth, which was not a time when breast-feeding ought to be discontinued. Hong Kong did not appear to have any programmes providing women returning to work after childbirth with time to breast-feed their infant, as was generally the case in countries promoting breast-feeding.

65. Mrs. EUFEMIO said her first recommendation was that the analysis of the situation of children should be updated in terms of present compliance with all provisions of the Convention, following the model of the reporting guidelines in which various areas of concern were grouped together. That should lead to the preparation of a plan of action to operate until the end of the next reporting period. Attention should perhaps be given to research on

the dynamics of the single parent and the extended family and further analysis made of indicators and statistics and other measures to measure compliance with the provisions of the Convention.

66. Mr. KOLOSOV said that the position of Hong Kong was unusual because it involved a period of transition for children resulting from a succession of States rather than economic or political changes. It was therefore appropriate for the Committee to request the Government of the United Kingdom in some way, perhaps through the Joint Liaison Group, to channel the Committee's concluding observations and recommendations to the future sovereign power, which would be responsible for the major part of the next reporting period. However, as much as possible should be done by the present administration to implement the Committee's suggestions in the time remaining before the transfer of power and report to the Committee before 1 July 1997 on the progress made. In view of the psychological effect on the children of Hong Kong of exposure to new cultural values and historical references in the transition period, he recommended that teachers should, in addition to informing children of their new status and citizenship, prepare them morally and psychologically for the changes to come.

67. Miss MASON said that the incipient transfer in sovereignty made it difficult to formulate recommendations for the present administration. A great deal hinged upon the current Sino-British discussions and the political commitment and will of parties concerned. She stressed that the Committee's principal concern was to work for the improvement of the situation of children. The interests of children were often overlooked when other matters appeared more pressing. Children should also be allowed to participate in all policies and programmes initiated on their behalf. One reason why the Committee wished to encourage public debate was to ensure dissemination of knowledge of the rights of the child, for, without such awareness, they could not be respected. It was hoped that the youth policies adopted by the Commission on Youth would receive adequate financial support. A further wish was that the authorities would reconsider their refusal to set up an independent body to monitor children's rights.

68. The CHAIRPERSON expressed the thanks of all members of the Committee for the willingness with which the delegation had participated in the dialogue and for the efforts its members had made to reply to all questions. It was hoped that the suggestions and recommendations that the Committee would be submitting in writing to the United Kingdom Government would also be taken into account by the new sovereign power after 1 July 1997. Many positive aspects had been noted during the discussion and the Committee hoped that the situation of children in Hong Kong would be further improved in future, particularly in the areas to which it had drawn attention. It encouraged law reform in a global framework, taking into account the provisions of the Convention as a whole.

69. Mr. FIFOOT (United Kingdom) said that, although there would probably continue to be some differences of detail in the way the obligations under the Convention were viewed, his delegation appreciated the informative discussions it had had with the Committee. If the Committee maintained its request in its written recommendations that replies should be provided before 1 July 1997,

the United Kingdom would in principle be prepared to comply with such a request to the extent that the practicalities of the time-frame concerned permitted.

70. Mr. WINGFIELD (United Kingdom) said that his delegation had welcomed the comments made by the members of the Committee. The preparation of the report and the replies to the questions in the list of issues had been a salutary exercise for the Hong Kong Government. It realized, however, that the report presented only a picture of the situation at a specific time; since situations were dynamic, the analysis would have to be a continuing process. The observations made by the Committee would be taken into account in that continuing analysis. The Committee had perhaps found the initial analysis provided by the report insufficient, but that analysis had not in fact been intended as a final statement; it had enabled the administration to advise the United Kingdom that Hong Kong considered itself to be in a position to comply with the terms of the Convention subject to the reservations and clarifications stated. Hong Kong would make every effort to remedy any inconsistencies in its legislation and practice that were brought to its attention.

71. The question of the involvement of the people of Hong Kong in the preparation of the report implied a division between the Government and people of Hong Kong that did not exist in practice. The Government had in fact given opportunities in July 1995 to non-governmental organizations, Legislative Council members and other interested parties to express their views on the initial report before its publication. A press release had also invited comments from the public. The Government would continue to involve the public both directly and through non-governmental organizations and the Legislative Council in its further consideration of the observations of the Committee.

72. The CHAIRPERSON welcomed the delegation's assurance that the Government intended to update the analysis of the situation on a regular basis. Although the Committee could not insist on the establishment of an independent monitoring mechanism, it continued to urge the Government to reconsider the value of ongoing monitoring. Even where the need for such monitoring did not appear very evident, circumstances could always change; the preventive aspect of monitoring often provided a safeguard against the development of problems for children. The Committee noted that the United Kingdom Government would be prepared to respond favourably to a request for information on the progress of application of the Committee's recommendations up to 1 July 1997. She extended the Committee's best wishes to the children of Hong Kong.

The meeting rose at 12.50 p.m.